

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

• * * * *

In the Matter of:

WALTER CALLIHAN)	
)	
COMPLAINANT)	
)	
vs.)	CASE NO. 9246
)	
GRAYSON RURAL ELECTRIC)	
COOPERATIVE CORPORATION)	
)	
DEFENDANT)	

O R D E R

On April 15, 1985, Grayson Rural Electric Cooperative Corporation ("Grayson") filed a Motion to set this case for hearing. At the request of the Commission, on April 22, 1985, Mr. Walter Callihan filed a response to Grayson's Motion. Mr. Callihan, among other things, objected to a hearing being set "while the suit is pending against Grayson Rural Electric Cooperative Corporation for production of records."

Although the Commission attempts to be lenient in most case matters to allow parties full opportunity for discovery, the record in this case indicates that Grayson has been fully responsive to providing information related to this particular complaint

while Mr. Callihan has sought to include totally unrelated issues as well as raising legal issues which cannot be properly addressed by this body. Only matters that specifically pertain to the three issues in this case as set forth in the Commission's Order of March 20, 1985, will be allowed as subjects of further discovery by either party. The Commission is of the opinion and finds that:

(1) Mr. Callihan has not been responsive since the filing of the complaint and it is, therefore, necessary to set a timetable in order to allow this case to be completed and submitted for final determination;

(2) Additional time should be allowed both parties for additional discovery, but any additional discovery should first be submitted to the Commission for a determination of its relevancy to the three issues in this complaint. A public hearing should be set following the discovery process.

IT IS THEREFORE ORDERED that both Mr. Callihan and Grayson should submit in writing to the Commission any further interrogatories concerning this complaint by May 15, 1985.

IT IS FURTHER ORDERED that the Commission shall rule as to the relevancy of such interrogatories within 5 days of receipt. Both parties shall have an additional 10 days to respond to any interrogatory deemed relevant by the Commission.

IT IS FURTHER ORDERED that a hearing be set on June 12, 1985, at 10:00 a.m., Eastern Daylight Time, (Hearing Room No. 2) at the Commission's Annex Building, 677 Commanche Trail, Frankfort, Kentucky.

Done at Frankfort, Kentucky, this 2nd day of May, 1985.

PUBLIC SERVICE COMMISSION

Richard D. Haman
Chairman

Keith Dyer, Jr.
Vice Chairman

Sam Shultz
Commissioner

ATTEST:

Secretary